

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, JUNE 23, 1987

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Struiksma at 9:16 a.m. The meeting was recessed by Chairperson Struiksma at 9:49 a.m. The meeting was reconvened by Mayor O'Connor at 10:03 a.m. with Council Member Cleator not present. Council Member Jones introduced Shanita Duncan, Matthew Oswalt, Veronica Navallez and Sara Soukthadong, graduating students of Kennedy Elementary School. The meeting was recessed by Mayor O'Connor at 12:03 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Jones at 2:10 p.m. with Mayor O'Connor and Council Members Cleator and Struiksma not present. Deputy Mayor Jones introduced Urika Oshita, an exchange student from Japan, and after presenting her with a special commendation, wished her a safe trip home. Mayor O'Connor adjourned the meeting at 4:45 p.m. to convene as the Redevelopment Agency and thereafter, as the Committee of the Whole.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Council Member McCarty-present
 - (8) Council Member Ballesteros-present
- Clerk-Mutascio;Abdelnour (jb;mp)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Mutascio called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-not present

- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-203:

(Continued from the meeting of June 8, 1987, Item 208, at the City Manager's request, to review the City Manager's report of June 4, 1987 regarding financing to be pursued.)

Actions relative to the financing of permanent public improvements for Mission Bay Park and Balboa Park:

(See City Manager Reports CMR-87-291 and CMR-87-184. Mission Beach and Balboa Park Community Areas. Districts-6 and 8.)

- (1) Adoption of two Resolutions relative to general obligation bonds:

19870623

Subitem-A: (R-87-2500) ADOPTED AS RESOLUTION R-268655

Authorizing the City Manager, City Attorney and City Clerk to proceed with the appropriate action to place before the voters a general obligation bond issue in an amount to be determined by the City Council for permanent public improvements for Mission Bay Park and Balboa Park.

Subitem-B: (R-87-2577) ADOPTED AS RESOLUTION R-268656

Authorizing the retention of Stradling, Yocca, Carlson and Rauth to act as bond counsel to the City in connection with the general obligation bond for permanent public improvements for Mission Bay Park and Balboa Park.

or

- (2) Adoption of an Alternate Resolution to

Subitem A:

Subitem-C: (R-87-2500b) FILED

Directing the City Manager and City Attorney to proceed with the appropriate action to conduct an in-depth study as an alternative for the financing of permanent public improvements for Mission Bay Park and Balboa Park and for other future capital needs to be accomplished by a method other than the issuance of general obligation bonds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F468-530.)

Motion by Ballesteros to add Centro Cultural to the list to be included in the bond and, if not feasible, come back with some way in which this could be funded. Second by Cleator. Passed by the following vote: Yea-1,2,3,4,5,6,7,8,M. Nay-None. Not Present-None.

Motion by Wolfsheimer to use CIP funds to build the Municipal Gym and Japanese Gardens and to complete all pedestrian and parking spaces in Tier I. No second.

MOTION BY McCARTY TO MOVE THE CITY MANAGER'S RECOMMENDATION TO GO WITH THE GENERAL OBLIGATION BOND. Second by Mayor O'Connor.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea. (Motion by Gotch to make the vote unanimous. Second by Jones. Passed by the following vote: Yea-1,2,3,4,5,6,7,8,M.)

MOTION BY McCARTY TO MOVE THE ATTORNEY'S RECOMMENDATION TO RETAIN THE FIRM OF STRADLING, YOCCA, CARLSON AND RAUTH TO ACT AS BOND COUNSEL TO THE CITY, AND TO APPROVE THE MANAGER'S RECOMMENDATION ON TIER I AND TIER II OF BALBOA PARK ITEMS EXCEPT THAT IN TIER II WHERE IT SAYS "NEW MUNICIPAL GYM", IT WOULD SAY "ADJACENT TO BALBOA PARK." Second by Gotch. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

MOTION BY GOTCH TO APPROVE TIER I AND TIER II OF MISSION BAY PARK. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-211:

(Trailed from the adjourned meeting of June 16, 1987, Item 330, due to lack of a quorum.)

Two actions relative to the vacation of a portion of "F" Street east of 33rd Street in connection with the Gateway Center West Redevelopment Plan:
(See City Manager Report CMR-87-202. Southeast San Diego Community Area. District-4.)

Subitem-A: (R-87-2205) ADOPTED AS RESOLUTION R-268653

Vacating "F" Street east of 33rd Street and adjacent to portions of Blocks 1 and 6 of Map-419, under Resolution of Intention R-268302, adopted on May 11, 1987.

Subitem-B: (R-87-2211) ADOPTED AS RESOLUTION R-268654

Approving the acceptance by the City Manager of a street easement deed of The Redevelopment Agency of the City of San Diego, granting to the City an easement for public street purposes in a portion of Lots 11-13, Block 6, Map-419; dedicating the same as and for a public street and naming the same "F Street.

FILE LOCATION: STRT J-2652;

Subitem A DEED F-3974;

Subitem

B DEED F-3947 DEEDFY87-2

COUNCIL ACTION: (Tape location: A050-425.)

Hearing began at 9:19 a.m. and halted at 9:47 a.m.

Testimony in favor by Joseph Seckelman, Verna Quinn, Buz Schott and Reese Jarrett.

Testimony in opposition by Pasquale Oliveri and Ernestina Hernandez.

MOTION BY JONES TO CLOSE THE HEARING AND ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-213: RETURNED TO CITY MANAGER

(Trailed from the adjourned meeting of June 16, 1987, Item 332, due to lack of a quorum.)

Six actions relative to the improvement of Alley Block 42, Normal Heights, under Resolution of Intention R-268301 adopted on May 11, 1987 (Improvement Act of 1911): (Mid-City Community Area. District-3.)

Subitem-A: (R-87-2179)

Resolution of feasibility.

Subitem-B: (R-87-2177)

Ordering the work.

Subitem-C: (R-87-2176)

Approving the City Engineer's Report.

Subitem-D: (R-87-2175)

Adopting plans and specifications.

Subitem-E: (R-87-2180)

Authorizing the collection of liquidated damages, under the provisions of the Public Contract Code.

Subitem-F: (R-87-2178)

Inviting sealed proposals for bids.

CITY MANAGER REPORT: This is a petition initiated project. The owners of 61.9 percent of the property area involved signed the petition. In addition, the owners of 3.2 percent of the property area have signed 1911 Act waivers, making the total 65.1 percent. The petition was accepted by Council on August 12, 1985, per Resolution R-263833. The alley to be improved is located between Wilson Avenue and 36th Street, and between Adams Avenue and Madison Avenue. The improvements consist of an 8-inch sewer main, pedestrian ramps, and the grading and paving of a 15-foot wide alley. The new 8-inch sewer main will replace an existing deteriorated sewer main. There will be a City contribution for the replacement of the 8-inch sewer main.

WU-E-87-142.

FILE LOCATION: AGENDA; STRT D-2254

COUNCIL ACTION: (Tape location: A450-B108.)

Hearing began at 10:04 a.m. and halted at 10:20 a.m.

Testimony in opposition by Willard Moore and Richard Truxell, Jr.

Motion by McColl to not move ahead with the assessment project at this time, but move ahead with replacement of the deteriorated sewer lines in that alley. Second by Ballesteros.

No vote.

MOTION BY MCCOLL TO RETURN TO THE CITY MANAGER, AT HER REQUEST, FOR A REPORT BACK TO THE PUBLIC SERVICES AND SAFETY COMMITTEE (PS&S). Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-330: CONTINUED TO JUNE 29, 1987, AT 2:00 P.M.

(Continued from the meeting of June 2, 1987, Item 331, at Council Member McCarty's request, for reports from the City Attorney and the Planning Department regarding a recycling element and zoning requirements.)

Matters concerning all of that portion of Lot 78 of Rancho Mission of San Diego lying within Section 25, Township 15 South, Range 3 West, SBBM, and a portion of land owned by the Department of the Navy known as the United States Naval

Air Station, Miramar, California. The subject property (approximately 43 acres) is located south of State Route 52, east of Convoy Street and west of Magnatron Boulevard, in the Serra Mesa Community Plan area. The San Diego Energy Recovery (SANDER) Project is a City-sponsored, waste-to-energy facility, proposed to be located on the above 43-acre site adjacent to the Miramar land fill.

- 1) Rezoning the above described real property from Zones M-1A and A-1-10 to Zone M-1B;
 - 2) Amending the Serra Mesa Community Plan to redesignate the above described real property from Light Industrial to a Waste Management Facility; and
 - 3) Amending the Progress Guide and General Plan to redesignate the above described real property from General Industrial to a Waste Management Facility.
- (Case-86-0633. District-5.)

Subitem-A: (O-87-212)

Introduction of an Ordinance for M-1B Zoning.

Subitem-B: (R-87-2167)

Adoption of a Resolution amending the Serra Mesa Community Plan, and amending the Progress Guide and General Plan, to become effective after the next omnibus hearing.

FILE LOCATION:

Subitem A--;

Subitem B LAND - Serra Mesa

Community Plan Amendment

COUNCIL ACTION: (Tape location: A005-030.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JUNE 29, 1987, AT THE REQUEST OF THE CITY MANAGER AND CITY ATTORNEY. Second by Gotch.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-331:

(Continued from the meetings of June 24, 1986, Item 333; July 22, 1986, Item 339; November 18, 1986, Item 331 and February 24, 1987, Item 332; last continued at the Planning Department's request for review of school site, parking, traffic patterns, etc., with community group and task

force.)

A proposal to amend the Penasquitos East Community Plan (Views West Unit 3) to: a) redesignate the Ridgewood Elementary School site to low density residential use (0-6 dwelling units per acre); and b) establish alternative land uses for the undeveloped school sites referred to as Penasquitos Creek Elementary and Black Mountain Elementary, should the sites be released by the Poway Unified School District in the future.

The Ridgewood Elementary School site is located west of La Tortola and south of the proposed Highway 56 alignment.

The school sites for which alternative uses will be considered include the Penasquitos Creek Elementary School site, located in the Parkview neighborhood, and the Black Mountain Elementary School site, located in the Black Mountain neighborhood.

(District-1.)

Subitem-A: (R-86-2178) ADOPTED AS RESOLUTION R-268657

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-85-0725 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-86-2177) ADOPTED AS RESOLUTION R-268658

Adoption of a Resolution approving the amendment of the Penasquitos East Community Plan (Views West).

FILE LOCATION: LAND - Penasquitos East Community Plan

COUNCIL ACTION: (Tape location: F230-461.)

Hearing began at 3:09 p.m. and halted at 3:25 p.m.

Testimony in favor by Bruce Warren.

Testimony in opposition by Maureen Wehner.

Deputy Mayor Jones left at 3:20 p.m.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING AND TO APPROVE PLANNING DEPARTMENT'S RECOMMENDATION TO REDESIGNATE THE SITE FROM ELEMENTARY SCHOOL TO PARK. STAFF IS DIRECTED TO ADD THE SITE TO THE FBA FUND. Second by Gotch. Passed by the following

vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-332: CONTINUED TO JULY 13, 1987

Matters of:

- 1) Adoption of the updated Southeast San Diego Community Plan. The proposed plan establishes locations for land uses such as residential, commercial, industrial parks and open space, and makes recommendations on improvements to public facilities. The proposed plan also recommends density ranges for single-family and multi-family residential areas.
- 2) Adoption of the Southeast San Diego Planned District Ordinance which would replace existing City-wide zoning regulations with new zones and development criteria to implement the community plan.
- 3) Rezoning the entire community from the existing zones to those of the Planned District Ordinance.
- 4) Rescission of the adopted 1969 Southeast San Diego Community Plan.
- 5) An amendment to the Progress Guide and General Plan to reflect the changes proposed by the updated Southeast San Diego Community Plan.

The Southeast San Diego Community Plan area encompasses approximately 7,100 acres and is located south of State Highway 94, between the San Diego Centre City Community and the City of Lemon Grove. The southern boundary is formed by the limits of the City of National City and the community of Skyline-Paradise Hills with I-5 defining the western boundary.

The Southeast San Diego Community Plan area has been divided into sub-sectors. The eastern sub-sector of the community encompasses approximately 3074 acres and is bounded by Euclid Avenue on the west, State Highway 94 and the City of Lemon Grove on the north, Woodman Street and the City of Lemon Grove on the east, and Plaza Street and National City on the south.

The central sub-sector of the community encompasses approximately 2814 acres and is bounded by State Highway 15 on the west, I-5 on the southwest, Division Street and National City on the south, Euclid Avenue on the east and State Highway 94 on the north.

The western sub-sector of the community encompasses approximately 1242 acres and is bounded by I-5 on the west and south, State Highway 94 on the north, and State Highway 15 on the east.

Proposed rezonings include replacement of all existing zones with the zones of the Planned District Ordinance and include changing all the existing R1, R, RV, CP, CR, CO,

CN, CC, CA, CA-RR, C-1, C, M-1B, M-1A, M-2A, and M-2 zones to proposed Planned District Zones SF, MF, CSF-1, CSF-2, CSF-3, CSR-1, CSR-2, CSR-3, CT-1, CT-2, CT-3, I-1, and I-2 and the mixed use and Institutional Overlay zones as they conform with the community plan land uses. Any combination of rezonings from the existing zones listed above to the proposed Planned District zones may be needed to implement the updated community plan throughout the entire Southeast San Diego Community. The Planned District Ordinance also contains special permit processing for alcohol beverage sales.

(District-4.)

Subitem-A: (R-87-2617)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0721 and Addendum has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report and Addendum has been reviewed and considered by the Council.

Subitem-B: (R-87-2616)

Adoption of a Resolution approving the community plan updated; rescinding the 1969 community plan and amending the Progress Guide and General Plan, to become effective after the next omnibus hearing.

Subitem-C: (O-87-245)

Introduction of an Ordinance establishing the Southeast San Diego Planned District.

Subitem-D: (O-87-244)

Introduction of an Ordinance rezoning various properties in the Southeast San Diego area from City-wide Zones to Planned District Zones.

Subitem-E: (R-87-)

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-84-0721 and Addendum.

FILE LOCATION:

Subitem-A,B,E: LAND - Southeast San Diego
Community Plan;

Subitem-C,D: --

COUNCIL ACTION: (Tape location: B110-259;E087-F213)

Hearing began at 10:21 a.m. and recessed at 10:33 a.m.

Council Member Cleator entered at 10:25 a.m.

Hearing resumed at 10:36 a.m. and recessed at 12:03 p.m.

Council Member Struiksma left at 10:50 a.m.

Mayor O'Connor left at 11:10 a.m. and entered at 11:55 a.m.

Testimony in favor by Verna Quinn, Rev. W.E. Manley, Mark Hannah, Bernard Cook, Frank Jordan, Ernest McKinney, Steve Harding, Vykki Gray, Jerry Harris, Joshua Von Wolfolk, David Swarens, Jim Lantry, Reynaldo Pisano and E.G. Gramman.

Testimony in opposition by Mrs. Walter W. Travis, Lucille Pollard, Dick Burt, Jeff Johnson, Rev. George Stevens, Paul Kennerly, Gussie Hall, Annette Bell, Catherine Montgomery, P.F. Bridges, Vincent Nares, Robert Jadow, Mark Marshall, Sylura Barron, Frank Freeman, Jean De Neules, Richard Goodwin and Charles Nichols.

Hearing resumed at 2:17 p.m. and halted at 3:08 p.m.

Testimony in opposition by Beatrice Cart, Ray Stewart, Tony Bedford, Bill Richardson, Dietmar Schott, Robert Changnon, Wesley Stark, John Barriage, Charles Gill, and Paul Sweeney.

MOTION BY JONES TO CONTINUE THIS COMMUNITY PLAN UNTIL JULY 13, 1987, AND TO (1) RENOTICE THOSE AREAS AND ANY LEGAL TECHNICALITIES AS CITED BY STAFF, (2) CLOSE THE HEARING FOR THOSE AREAS PROPERLY NOTICED, AND (3) KEEP THE HEARING OPEN FOR THOSE AREAS TO BE RENOTICED. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-333: (R-87-) CONTINUED TO JULY 27, 1987, AT 2:00
p.m.

(Continued from the meeting of June 2, 1987, Item 332, at Council Member Gotch's request, to allow the owner time to show good faith in using the project as Senior Citizen Housing.)

Matter of a revocation of Conditional Use Permit CUP-10-607-0, allowing construction and operation of a 15-unit senior housing project. The revocation is proposed due to violation of the permit conditions by not having one senior citizen at least 62 years of age in each unit. The subject property is described as Lots 21 and 22, Block 17,

Reed and Hubbell's Addition, Map-327, and is located on the south side of Boston Avenue between 29th and 30th Streets (approximately .16 acres), in Zone BLPD Area C, in the Barrio Logan Community Plan area.

(CUP-10-607-0. District-4.)

Adoption of a Resolution approving or denying revocation of Conditional Use Permit CUP-10-607-0, with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP-10-607-0

COUNCIL ACTION: (Tape location: B250-260.)

MOTION BY JONES TO CONTINUE TO JULY 27, 1987, AT HIS REQUEST.

Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-334:

(Continued from the meetings of May 26, 1987, Item 330, and June 2, 1987, Item S500,

19870623

Subitems E, F and H; last continued at the Special Bond Counsel's request, for bond sale.)

Four actions relative to Assessment District No. 4007 - First San Diego River Improvement Project (FSDRIP): (Mission Valley Community Area. District-5.)

Subitem-A: (R-87-2370 Rev.1) ADOPTED AS RESOLUTION R-268659

Awarding the contract for the construction of certain public works of improvement.

Subitem-B: (R-87-2369) ADOPTED AS RESOLUTION R-268660

Making award for sale of bonds and providing for the establishment of a redemption fund.

Subitem-C: (R-87-2405) ADOPTED AS RESOLUTION R-268661

Authorizing the execution of an agreement with Westec Services, Inc. (WESTEC), for consultant services for the First San Diego River Improvement Project (FSDRIP).

Subitem-D: (R-87-2635) ADOPTED AS RESOLUTION R-268662

Authorizing and providing for the issuance of Bonds

pursuant to the Improvement Bond Act of 1915.

CITY MANAGER REPORT: On November 12, 1985, the Council accepted the property owner petition for the subject assessment district. The proposed improvements consist of the construction of an earthen channel capable of containing a 100 year flood, revegetation of the channel slopes with native river plants, and the landscaping of an approximately 20-foot-wide buffer zone on each side of the channel. In addition, the two existing street crossings, Mission Center Road and Stadium Way, and a new crossing, Camino del Este, will be constructed. The Mission Center Road and Stadium Way crossings will also be widened to accommodate additional traffic at the 10-year flood level. Included with the assessment district improvements is the replacement of the existing 54-inch Mission Valley Trunk Sewer with a new 78-inch sewer. This cost will be paid by the Water Utilities Department.

FILE LOCATION: STRT - D-2256

COUNCIL ACTION: (Tape location: F214-219.)

Hearing began at 3:08 p.m. and halted at 3:09 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING AND ADOPT THE RESOLUTIONS. Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS

None.

PUBLIC COMMENT

ITEM-PC-2:

Announcement made by City Manager Lockwood regarding impact fees relating to the Interim Development Ordinance:

1. Applications for permits made prior to 4/28/87 will be processed as usual;
2. Applications for permits made on or after 4/29/87 will be processed consistent with the IDO;
3. Hearing on the impact fees regarding the IDO will be held at 2:00 p.m. on 7/7/87.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H549.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor

O'Connor at 4:45 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H569).